

Exhibit A – Modified Paragraph 6 to KPM’s Proposed Injunction

WITH CORPORATE WALL

6. The Individual Defendants and Defendant Blue Sun are prohibited from offering to sell or selling any Near-Infrared analyzer product to any party for which Blue Sun or any Individual Defendant has previously offered to provide or provided or offered to sell or sold any services or products related to any Near Infra-Red analyzer manufactured or sold by KPM or its predecessors in interest, including but not limited to analyzers manufactured or sold by Unity Scientific or Process Sensors Corporation, from July 2, 2018 onward. If any organization includes multiple individual divisions, sites, or locations that make independent buying decisions, each division, site, or location is deemed a separate party under this Paragraph. A division, site, or location makes independent buying decisions if the division, site, or location has the authority to determine which near-infrared analyzer to purchase without input from other divisions, sites, or locations within the organization. A division, site, or location also does not make independent buying decisions if the division, site, or location was referred to the defendants by a person to whom the defendants previously sold or offered to sell services or products related to any Near Infra-Red analyzer manufactured or sold by KPM or its predecessors in interest.

The forgoing restrictions shall not apply to ITG provided the following takes place on or before ____, 2024,

- 1) ITG and Blue Sun implement a Corporate Wall to ensure that no trade secrets will pass from other defendants into ITG;
- 2) Mailing and remittance address for Blue Sun will be changed from the same location as ITG in Maryland to a California location;
- 3) ITG will have no access to Blue Sun customer, technical or financial information and Blue Sun will have no access to ITG customer, technical or financial information;
- 4) ITG’s sales functions will operate independently of Blue Sun and individuals. ITG will have no access to Blue Sun customer database (CRM);
- 5) Blue Sun will have no access to ITG customer database (CRM);
- 6) Blue Sun will not—share sales pipeline with ITG;
 - A) ITG only receives a purchase order upon a customer buying from Blue Sun;
 - B) ITG receives a forecast from Blue Sun that only contains the type of instrument and quantity needed for date range;
- 7) No ITG employee will provide any job functions for Blue Sun, including accounting;

8) No Blue Sun employee will provide any job functions for ITG;

9) No Blue Sun employee or accountant will perform accounting work for ITG;

10) No Blue Sun employees work from the ITG address in Maryland;

A) Rob Gajewski works from home in Illinois;

B) Dr. Arnold Eilert works from home in Illinois;

C) Rachael Glenister works from home in Hawaii;

WITHOUT CORPORATE WALL:

6. Defendants are prohibited from offering to sell or selling any Near-Infrared analyzer product to any party for which any Defendant has previously offered to provide or provided or offered to sell or sold any services or products related to any Near Infra-Red analyzer manufactured or sold by KPM or its predecessors in interest, including but not limited to analyzers manufactured or sold by Unity Scientific or Process Sensors Corporation, from July 2, 2018 onward. If any organization includes multiple individual divisions, sites, or locations that make independent buying decisions, each division, site, or location is deemed a separate party under this Paragraph. A division, site, or location makes independent buying decisions if the division, site, or location has the authority to determine which near-infrared analyzer to purchase without input from other divisions, sites, or locations within the organization. A division, site, or location also does not make independent buying decisions if the division, site, or location was referred to the defendants by a person to whom the defendants previously sold or offered to sell services or products related to any Near Infra-Red analyzer manufactured or sold by KPM or its predecessors in interest. ITG is excepted from the above prohibition with respect to the following KPM customers specifically identified by ITG at trial as having been Unity Scientific customers that pre-date KPM's entry into the NIR Analyzer Industry:

[See Customer List submitted by email to the Court on October 4, 2024]